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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventor's Protection Act of 1999 (AIPA).

Request Mail No.	
Application Number	10/105,380
Filing Date	March 26, 2002
First Named Inventor	Dominique D. Messeri
Group Art Unit	3738
Examiner Name	Pellegrini, Brian E
Agency District No.	8032-633-000

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicants only wish to continue a pending prosecution application (CPA) under 37 C.F.R. § 1.54 (a) (PUSBTI) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Procedural Application Practice, Interim Rule, 65 Fed. Reg. 14603 (Mar. 20, 2000), 1253 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any undersigned amendment(s) checked is above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other: 503013 10105280

## Miscellaneous DA

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.  
(Period of suspension shall not exceed 3 months. For matter 37 C.F.R. § 1.17(d) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 C.F.R. § 1.17(a) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Jones Day Deposit Account No. 50-3013:
- a. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 770.00
- i. ☐ Extension of time: fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ \_\_\_\_\_ for a \_\_\_\_\_ month extension, the request for which is being made herewith
- ii. ☐ Other: No other fee is believed to be due with the filing of this response. However, the Commissioner is hereby authorized to charge any other fee(s) which may be due to Jones Day Deposit Account No. 50-3013.
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	By: Giuseppe Molaro	Registration No. (Attorney/Agent)	52,039
Name (Print/Type)	For: Brian M. Ruthery	Registration No. (Attorney/Agent)	35,340
Signature	<i>Giuseppe Molaro</i>	Date	August 23, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450, or by facsimile transmitted to fax no. 1-703- \_\_\_\_\_ to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)	Giuseppe Molaro	Registration No. (Attorney/Agent)	52,039
Signature	<i>Giuseppe Molaro</i>	Date	August 23, 2004

Mention How Submitted: This form is intended to take 10-15 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the utility of this form are requested to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. MAIL STOP 1450. SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. 50-3013 Fee and Completed Forms to the following address: Commissioner for Patents P.O. Box 1450 Mail Stop RCE, Alexandria, VA 22313-1450.

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